

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEC 03 2018

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Dartanyan J. Turner

Case Number: 0980 2:08CR00150-WFN-1

Address of Offender: Unknown

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: September 17, 2009

Original Offense: Felon in Possession of a Firearm and Ammunition, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison -120 months;
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Daniel Fruchter

Date Supervision Commenced: July 18, 2017

Defense Attorney: Federal Defenders Office

Date Supervision Expires: July 17, 2020

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **Mandatory Condition # 4:** The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

Supporting Evidence: On November 27, 2018, Dartanyan Turner submitted a urine specimen that initially tested positive for cocaine. Mr. Turner signed an admission of drug use form admitting he consumed cocaine on or about November 23 or 24, 2018.

On July 19, 2017, Dartanyan Turner was provided the judgment and sentence for case numbers 2:08CR00150-WFN-1 and 2:08CR00173-WFN-7. Additionally, he signed said judgments indicating that he fully understood the conditions of his term of supervision. Specifically, that he refrain from any unlawful use of a controlled substance.

- 2 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: On November 28, 2018, Dartanyan Turner was directed by the duty officer at the U.S. Probation Office in Spokane, Washington, to contact his assigned officer on November 29, 2018, to schedule a meeting. Dartanyan Turner failed to contact his assigned probation officer as directed on November 29, 2018.

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On November 29, 2018, Dartanyan Turner was directed by the undersigned officer to report to the U.S. Probation Office by 2 p.m. He failed to report as directed on November 29, 2018, and at the time of this report, he has failed to return any phone calls to the probation office.

On July 19, 2017, Dartanyan Turner was provided the judgment and sentence for case numbers 2:08CR00150-WFN-1 and 2:08CR00173-WFN-7. Additionally, he signed said judgments indicating that he fully understood the conditions of his term of supervision. Specifically, that he follow the instructions of the probation officer.

- 3 **Special Condition # 15:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

Supporting Evidence: Dartanyan Tuner failed to attend his scheduled substance abuse treatment groups at Pioneer Counseling on November 20, 26, and 28, 2018. Additionally, he failed to attend his scheduled individual session at Pioneer Counseling on November 29, 2018.

On November 29, 2018, the undersigned officer was notified by staff at Pioneer Counseling that Mr. Turner was terminated from their program due to continued noncompliance.

On July 19, 2017, Dartanyan Turner was provided the judgment and sentence for case numbers 2:08CR00150-WFN-1 and 2:08CR00173-WFN-7. Additionally, he signed said judgment indicating that he fully understood the conditions of his term of supervision. Specifically, that he undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program.

- 4 **Special Condition # 16:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Dartanyan Tuner failed to report as directed for substance abuse testing at Pioneer Counseling Center on November 13, 2018.

On July 19, 2017, Dartanyan Turner was provided the judgment and sentence for case numbers 2:08CR00150-WFN-1 and 2:08CR00173-WFN-7. Additionally, he signed said judgments indicating that he fully understood the conditions of his term of supervision. Specifically, that he submit to urinalysis and sweat patch testing, as directed by the supervising officer.

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The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/30/2018

s/Richard Law

Richard Law
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other


Signature of Judicial Officer

12/3/18
Date